

COPY OF PAPERS
ORIGINALLY FILED

#3



EXPRESS MAIL LABEL NO:
EL668678953US

PATENT
HP Docket No.: 10960502-8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Abdolreza Movaghar et al.

Assignee.: Hewlett-Packard Company

Reissue of
Patent No: 5,998,786

Issued: December 7, 1999

Title: Apparatus For Securing CCD Board At A Fixed Position Within A Range Of Motion

October 17, 2001

BOX REISSUE
Assistant Commissioner for Patents
Washington, D.C. 20231

**STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTOR**

Dear Sir:

This statement is made as to the exact fact that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor the above-identified patent application before deposit thereof in the Patent and Trademark Office.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS

Walter S. Stevens
Hewlett-Packard Company
Intellectual Property Administration
PO Box 272400, Mailstop 35
Fort Collins, CO 80527-2400

LAST KNOWN ADDRESS OF THE NONSIGNING INVENTOR

Mark Diei
311 Fourth Avenue #301
San Diego, CA 92101

RECEIVED
APR 05 2002

OFFICE OF PETITIONS

05/21/2002 AKELLEY 00000014 082025 09982327

01 FC:122 130.00 CH

DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR

On September 6, 2001 a letter was sent to Mark Diel (Exhibit A), at his last known address, requesting his signature for the reissue application Declaration and Power of Attorney. On September 11th, 2001, we received a call stating that Mark has not lived at this address for at least the past four years, and that they did not have any forwarding information. The letter was then returned to us about a week later.

Respectfully submitted,

Walter S. Stevens

Walter S. Stevens
Corporate Counsel
Reg. No. 33,098
Tel: 858.655.5028



COPY OF PAPERS
ORIGINALLY FILED

RECEIVED
APR 05 2002
OFFICE OF PETITIONS

REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY BY THE INVENTOR

FEB 21 2002

JERNEY DOCKET NO. 10960502-1

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed in patent number 5,998,786, granted Dec 7, 1999, and for which a reissue patent is sought on the invention entitled:

Apparatus For Securing CCD Board At A Fixed Position Within A Range Of Motion

the specification of which is attached hereto unless the following box is checked:

() was filed on _____ as US reissue application number _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below.

- ☐ By reason of a defective specification or drawing.
☒ By reason of the patentee claiming more or less than he had the right to claim in the patent.
☐ By reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation to as to the nature of the broadening:

I believe the original patent, upon which this Reissue Application is based, is wholly or partly inoperative by my claiming less than I had a right to claim in the patent. The reason for such belief is that newly presented claims 24, 25 and 26 are allowable over the prior art of record and meet all requirements under 35 U.S.C. but were not included in the original patent. I do not believe I am attempting to recapture subject matter given up during my previous prosecution.

The error in claims 1, 13 and 20 was including an element expressed as a "compliant apparatus", which subjects claims 1, 13 and 20 to too narrow an interpretation. New claims 24, 25 and 26 submitted hereby recites some of the same language of claims 1, 13, and 20, respectively, but omits the element expressed as a "compliant apparatus". I believe that, because claims 1, 13, 20 may be subject to such a narrow interpretation, I claimed less than I had a right to claim.

I respectfully submit that the above-described errors support my right to present claims 24, 25, and 26 in the Reissue Application. The above discussion in no way should be taken to mean that I believe claims 1-23 to be invalid. Since my original patent is in error, in that I claimed less than I am entitled to claim and since all requirements for obtaining a reissue patent containing the reissue claims have been met, I respectfully request that a reissue patent containing reissue claims 1-26 be issued.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Customer Number 022879

Place Customer
Number Bar Code
Label here

Send Correspondence to:
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Direct Telephone Calls To:

Walter Stevens
(858) 655-5028

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Abdolreza Movaghar

Citizenship: US

Residence: 11165 Scripps Ranch Blvd San Diego CA 92131

Post Office Address: Same as residence

Inventor's Signature

Date

COPY OF PAPERS
ORIGINALLY FILED

DECLARATION AND VERIFICATION OF ATTORNEY
FOR PATENT APPLICATION (continued)

FEB 21 2002

ATTORNEY DOCKET NO. 10960502-1

Full Name of # 2 joint inventor: Josephine del Rosario

Citizenship: US

Residence: 17391 Via del Campo San Diego CA 92127

Post Office Address: Same as residence

Inventor's Signature

Date

Full Name of # 3 joint inventor: Mark Diei

Citizenship: US

Residence: 311 Forth Avenue #301 San Diego CA 92101

Post Office Address: Same as residence

Inventor's Signature

Date

Full Name of # 4 joint inventor: David J. Schmeling

Citizenship: US

Residence: 10529 Ozco Road San Diego, CA 92124 USA

Post Office Address: Same as residence

David J. Schmeling
Inventor's Signature

9/22/01
Date

Full Name of # 5 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

Full Name of # 6 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

Full Name of # 7 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

Full Name of # 8 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

COPY OF PAPERS
ORIGINALLY FILED

REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY BY THE INVENTOR

FEB 21 2002

ATTORNEY DOCKET NO. 10960502-1

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed in patent number 5,998,786, granted Dec 7, 1999, and for which a reissue patent is sought on the invention entitled:

Apparatus For Securing CCD Board At A Fixed Position Within A Range Of Motion

the specification of which is attached hereto unless the following box is checked:

() was filed on _____ as US reissue application number _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below.

- ☐ By reason of a defective specification or drawing.
☒ By reason of the patentee claiming more or less than he had the right to claim in the patent.
☐ By reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

I believe the original patent, upon which this Reissue Application is based, is wholly or partly inoperative by my claiming less than I had a right to claim in the patent. The reason for such belief is that newly presented claims 24, 25 and 26 are allowable over the prior art of record and meet all requirements under 35 U.S.C. but were not included in the original patent. I do not believe I am attempting to recapture subject matter given up during my previous prosecution.

The error in claims 1, 13 and 20 was including an element expressed as a "compliant apparatus", which subjects claims 1, 13 and 20 to too narrow an interpretation. New claims 24, 25 and 26 submitted hereby recites some of the same language of claims 1, 13, and 20, respectively, but omits the element expressed as a "compliant apparatus". I believe that, because claims 1, 13, 20 may be subject to such a narrow interpretation, I claimed less than I had a right to claim.

I respectfully submit that the above-described errors support my right to present claims 24, 25, and 26 in the Reissue Application. The above discussion in no way should be taken to mean that I believe claims 1-23 to be invalid. Since my original patent is in error, in that I claimed less than I am entitled to claim and since all requirements for obtaining a reissue patent containing the reissue claims have been met, I respectfully request that a reissue patent containing reissue claims 1-26 be issued.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Customer Number 022879

Place Customer
Number Bar Code
Label here

Send Correspondence to:
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Direct Telephone Calls To:

Walter Stevens
(858) 655-5028

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Abdolreza Movaghar

Citizenship: US

Residence: 11165 Scripps Ranch Blvd San Diego CA 92131

Post Office Address: Same as residence

Inventor's Signature

Date

COPY OF PAPERS
ORIGINALLY FILED

DECLARATION AND VERIFICATION OF ATTORNEY
FOR PATENT APPLICATION (continued)

ATTORNEY DOCKET NO. 10960502 -8

Full Name of # 2 joint inventor: Josephine del Rosario

Citizenship: US

Residence: 17391 Via del Campo San Diego CA 92127

Post Office Address: Same as residence

Inventor's Signature: *Josephine del Rosario*

Date: 09/10/01

Full Name of # 3 joint inventor: Mark Diel

Citizenship: US

Residence: 311 Forth Avenue #301 San Diego CA 92101

Post Office Address: Same as residence

Inventor's Signature

Date

Full Name of # 4 joint inventor: David J. Schmeling

Citizenship: US

Residence: 10529 Arozco Road San Diego, CA 92124 USA

Post Office Address: Same as residence

Inventor's Signature

Date

Full Name of # 5 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

Full Name of # 6 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

Full Name of # 7 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date

Full Name of # 8 joint inventor:

Citizenship:

Residence:

Post Office Address:

Inventor's Signature

Date



COPY OF PAPERS
ORIGINALLY FILED



Heavens-Packard Company
Legal Department
16399 West Bernardo Dr.
Mail Stop 66U-838
San Diego, CA 92127-1899
www.hp.com

Jennifer Torres
Legal Administrator
858.655.8008 Tel
858.655-5859 Fax
jennifer_torres@hp.com

September 6, 2001
Mark Diel
311 Forth Avenue #301
San Diego, CA 92101

EF 236402797 US

RE: HP Reissue Patent Application No. 10960502-8
Entitled : Apparatus For Securing CCD Board At A Fixed Position Within A Range Of Motion

Dear Mr. Diel:

Attached for review and signing, is the reissue patent application for "Apparatus for Securing CCD Board At A Fixed Position Within A Range of Motion". The Declaration and Power of Attorney is attached.

In the Declaration you state that you have reviewed and understand the contents of the specification, including the claims as amended. Also, in the Declaration you state that you believe you are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought.

If you believe that all of the statements you are about to make in the Declaration are true, then you should execute the Declaration and Power of Attorney for the Reissue Patent Application, and return it to me in the enclosed, preaddressed Express Mail envelope by September 13, 2001.

Thank you for your cooperation. If you have any questions, or concerns regarding any of the foregoing, please contact me at 858.655.8008.

Regards,

Jennifer Torres
Legal Administrator

Encls.

EXHIBIT A

RECEIVED
APR 05 2002
OFFICE OF PETITIONS

3

Page 1 of 1

COPY OF PAPERS
ORIGINALLY FILED

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/982,327	10/17/2001	Abdolreza Movaghar	10960502-8

022879
HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

CONFIRMATION NO. 6667

FORMALITIES LETTER



OC00000007134200

Date Mailed: 11/29/2001

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
MARK DIEL
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

02/27/2002 NMOHAMM1 00000061 082025 09982327

01 FC:105 130.00 CH

*A copy of this notice **MUST** be returned with the reply.*Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY OF PAPERS
ORIGINALLY FILED

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Abdolreza Movaghar et al

Confirmation No.: 6667

Application No.: 09/982327

Examiner: Unassigned

Filing Date: Oct 17, 2001

Group Art Unit: 2878

Title: Apparatus For Securing CCD Board At A Fixed Position Within A Range Of Motion

Box MISSING PARTS
COMMISSIONER FOR PATENTS
Washington, D.C. 20231

TRANSMITTAL LETTER FOR SUBMITTAL OF MISSING PARTS

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(f) mailed on Nov. 29, 2001. Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

☒ (X) Statement of Facts Regarding Non-Signing Inventor (Exhibit A attached)

☐ () Executed Declaration and Power of Attorney. The above-identified application is the same application which the inventor executed by signing the enclosed declaration.

☒ (X) Reissue specification in double-column format.

☐ () Statutory basic filing fee ☐ () Utility \$740.00 ☐ () Design \$330.00

☐ () Additional claim fees of \$

☒ (X) Missing Parts Surcharge \$130.00

☐ () A Petition for Extension of Time for reply to Notice of Missing Parts is attached.

☐ () one month \$110.00

☐ () two months \$400.00

☐ () three months \$920.00

☐ () four months \$1440.00

Please charge to Deposit Account 08-2025 the sum of \$130.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Abdolreza Movaghar et al

By

Walter S. Stevens

Walter S. Stevens

Attorney/Agent for Applicant(s)

Reg. No. 33,098

Date: Jan 29, 2001

Telephone No.: (858) 655-5028

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: Jan 29, 2002

Typed Name: Jennifer Torres

Signature: Jennifer Torres